

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICK BRUCE GORDON,

No. 2:91-cv-0882-MCE-EFB P

Petitioner,

v.

**DEATH PENALTY CASE**

WARDEN, San Quentin State Prison,

Respondent.

ORDER

Petitioner is a state prisoner proceeding through counsel with this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. A status conference was held on December 16, 2015, at 10:00 a.m. in the courtroom of the undersigned. Joan Fisher appeared for petitioner. Brook Bennigson and Eric Christoffersen appeared for respondent. After hearing the arguments of counsel and good cause appearing,

IT IS ORDERED that:

1. Petitioner's November 17, 2015 motion "to Apply FRCP 56 to these proceedings and for partial summary judgment," construed as a request to modify the October 6, 2015 scheduling order, is denied.

2. Pursuant to the scheduling order, petitioner shall file a brief on all claims for relief by October 6, 2016. Although petitioner's counsel is free to do so if they wish, the points and authorities filed by petitioner in support of his motion for partial summary judgment (ECF No.

1 397) need not be redrafted but will be considered and addressed by the court along with the  
2 arguments contained in petitioner's brief on all other claims for relief.

3       3. Respondent's opposition shall incorporate his response to petitioner's motion for  
4 partial summary judgment.

5 DATED: December 17, 2015.

  
6 EDMUND F. BRENNAN  
7 UNITED STATES MAGISTRATE JUDGE  
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